

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL WHITE,

Defendant.

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CASE NO. 8:05CR369

ORDER

This matter is before the Court on the Defendant's Notice of Appeal ("Notice") (Filing No. 97). A deficiency notice was issued with respect to the Notice as the Notice did not include a certificate of service. Although a certificate of service is required, striking the Notice is discretionary. NECrimR 49.4(c). Therefore, in accordance with the previously entered notice,

IT IS ORDERED that the Defendant may proceed on appeal in forma pauperis.

DATED this 5th day of October, 2010.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge